

HOUSE BILL No. 1055

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-42.

Synopsis: Food establishments and food handlers. Removes conditions that certain organizations must meet to be exempt from the sanitary requirements for food establishments. Provides that certain tax exempt and religious organizations are exempt from the certified food handler requirements.

Effective: July 1, 2006.

Duncan

January 4, 2006, read first time and referred to Committee on Public Health.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1055

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-42-5-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. (a) An organization
3 that is exempt from the state gross retail tax under
4 IC 6-2.5-5-21(b)(1)(B), IC 6-2.5-5-21(b)(1)(C), or
5 IC 6-2.5-5-21(b)(1)(D) and that offers food for sale to the final
6 consumer at an event held for the benefit of the organization is exempt
7 from complying with the requirements of this chapter that may be
8 imposed upon the sale of food at that event. ~~if the following conditions~~
9 are met:

10 (1) ~~Members of the organization prepare the food that will be~~
11 sold:

12 (2) Events conducted by the organization under this section take
13 place for not more than thirty (30) days in a calendar year.

14 (3) The name of each member who has prepared a food item is
15 attached to the container in which the food item has been placed:

16 (b) This section does not prohibit an exempted organization from
17 waiving the exemption and applying for a license under this chapter.



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1 SECTION 2. IC 16-42-5.2-3.5, AS ADDED BY P.L.139-2005,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2006]: Sec. 3.5. (a) **The following organizations are exempt**
 4 **from complying with the requirements of this chapter:**

5 (1) An organization that is exempt from the state gross retail tax
 6 under IC 6-2.5-5-21(b)(1)(B), IC 6-2.5-5-21(b)(1)(C), or
 7 IC 6-2.5-5-21(b)(1)(D). ~~is exempt from complying with the~~
 8 ~~requirements of this chapter.~~

9 (2) **An organization that is exempt from federal income**
 10 **taxation under Section 501(c)(3) of the Internal Revenue**
 11 **Code.**

12 (3) **A religious organization or an auxiliary of a religious**
 13 **organization.**

14 (b) This section does not prohibit an exempted organization from
 15 waiving the exemption and using a certified food handler.

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